

11. 2007SP-048U-03

Zion Hill

Map 070-00, Parcel 041

Subarea 3 (2003)

Council District 2 - Jamie D. Isabel, Sr.

A request to change from R10 to SP zoning property located at 2433 Buena Vista Pike, approximately 770 feet west of W. Trinity Lane (5.01 acres), to permit the development of 23 multi-family units and a 250 seat religious institution within a 2-story, 27,000 square foot building, requested by Dale & Associates, applicant, for Zion Hill First African Baptist Church, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Preliminary SP

A request to change approximately 5.01 acres located at 2433 Buena Vista Pike, approximately 770 feet west of Trinity Lane from One and Two-Family Residential (R10) to Specific Plan (SP) for 23 multi-family town home units, and a 250 seat religious institution.

Existing Zoning

R10 District - R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BORDEAUX-WHITES CREEK COMMUNITY PLAN POLICY

Existing Policies

Neighborhood General (NG) - NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent With Policy? - Yes, the proposed development is consistent with the area’s Neighborhood General Policy. The proposed development consist of 23 multi-family town homes that

PLAN DETAILS

Site Plan - The plan calls for 23 multi-family townhomes and a 27,000 square foot religious institution with 250 seats. The residential density will be approximately 4.6 units per acre, and the floor area ratio for the entire development will be .34. A total of 2.34 acres (46%) is provided in open space.

Residential Units - Units will be located at the front of the development with the closest unit to Buena Vista Pike being approximately 100 feet north of the street. The 23 residential units will be divided in two

rows that parallel Buena Vista Pike. The first row of units will have 11 units, and the second row will have 12 units. Units will be 3.5 stories in height and include a front loaded garage. Exterior building materials for all residential units will be brick and hardiboard or stucco.

Religious Institution - The 27,000 square foot religious institution will be located behind (north of) the residential units. It will consist of a 2-story structure and include a 250 seat sanctuary. No elevation has been provided for this structure. Elevations will be required with the final SP site plan application. The structure should utilize similar materials and design elements used in the residential section.

Access/Connectivity - Both the residential units and the religious institutional building will access by a single private drive off of Buena Vista Pike. As proposed, the design of the access point along Buena Vista Pike is awkward and should be redesigned. The design appears to move all traffic, including church traffic through the residential section. The access point along Buena Vista Pike should be redesigned prior to final approval of the development plan. A stub drive is provided along the eastern property line and would allow for future connectivity if the adjacent property to the east ever develops. For this access point to be utilized, any development on the eastern adjacent property would have to be similar to this development in design and type. As the property to the north is the Metro-owned Metro Police Academy site, no cross connection is required. A stub should be required to the west to provide for a future connection.

Parking - A total of 174 parking spaces is proposed for the overall development. There are 66 spaces provided for the residential units, and 108 spaces provided for the church building. For the residential portion, 23 spaces will be provided in garages (1 space per unit), 23 within driveways (1 space per unit), and 20 additional spaces provided within a surface parking lot between the two rows of residential units. While SP districts do not have to meet any specific Metro parking requirements, only demonstrate sufficient parking, the development does meet Metro parking requirements for this kind of development.

Environmental - The property contains slopes greater than 25 percent with the majority of the steep slopes along Buena Vista Pike. The area with the most significant slopes along Buena Vista Pike will be within open space. To minimize grading on the site, the church building is being placed at the rear of the property.

Landscape Buffer Yards - A standard 10 foot wide "B" buffer yard is proposed along the eastern and northern property lines, and a small portion of the western property line. The "B" buffer yard proposed for the majority of western property line is 5.5 feet in width and is not a standard size buffer yard. For this section of buffer yard, the same plant density required with the typical 10 foot "B" buffer yard will be used. Although the strip is narrower, the additional landscaping will provide adequate buffering. The main drive will be located adjacent the east side of the buffer so there will be no buildings along the western property line with the closest building set back 30 feet (church building).

Staff Recommendation - Staff recommends that the request be approved with conditions.

RECENT REZONINGS - None

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Prior to the preparation of construction plans, document adequate sight distance at project. Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards.
3. Recommend reevaluation of the driveway configuration as it relates to the transition from 3 lanes to 2 lanes.

METRO SCHOOL BOARD REPORT

MPC (03/22/07)

Projected student generation*

4 **Elementary**

3 **Middle**

2 **HighSchools**

Over/Under Capacity - Students would attend Bordeaux Elementary School, Ewing Park Middle School, and Whites Creek High School. Bordeaux Elementary and Whites Creek High School are listed as having capacity, but Ewing Park Middle School is listed as at or over capacity; however, there is additional capacity within adjacent clusters. This information is based upon data from the school board last updated February 2006.

CONDITIONS

1. Elevations for the church building will be required with the final development plan. The structure should utilize similar materials and design elements used in the residential section. Elevations must be approved by planning staff for compatibility with the materials and character of the residential units prior to the final development plan being approved.
2. The access point along Buena Vista Pike should be redesigned prior to final approval of the development plan. The redesign must be approved by Public Works and Planning staff prior to the final development plan being approved.
3. The dumpster identified to the south of the front row of residential units shall be relocated. The relocation must be approved by Public Works and Planning staff prior to the final development plan being approved.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. The application including any attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
6. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of any final site plan within this SP district. Prior to the issuance of any permits, confirmation of compliance with the final approval of all final development plans shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
9. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan.

Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions (7-0), *Consent Agenda*

Resolution No. RS2007-100

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-048U-03 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

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The proposed SP plan is consistent with the Bordeaux-Whites Creek Community Plan's Neighborhood General policy which is intended for residential developments that provide a variety of housing types."